

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOSEPH COUNTS,

Plaintiff,

v.

STATE OF MISSOURI,

Defendant.

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Case No. 4:24-CV-00489-SEP

MEMORANDUM AND ORDER

Before the Court is Plaintiff's motion requesting a copy of his Complaint and additional time to file a notice of appeal. *See* Doc. [19].

Upon receipt of the instant motion, the Clerk mailed to Plaintiff a complimentary copy of his original four-page Complaint. If Plaintiff would like additional copies, he is advised the Court does not provide free copies, even if those documents were filed by the parties themselves. Plaintiff may, however, obtain copies by requesting such documents from the Clerk at the current rate of fifty cents (0.50) per page. The cost of such copies must be paid in advance and submitted with the request.

Plaintiff has also requested an extension of time to file a notice of appeal. The time for filing a notice of appeal is governed by Federal Rule of Appellate Procedure 4(a)(1), which provides that a notice of appeal must be filed "within 30 days after the entry of the judgment or order appealed from." Here, the Court entered its Order of Dismissal on June 28, 2024. Docs. [9], [10]. On July 8, 2024, Plaintiff filed a letter to the Court, which was construed as a motion for reconsideration and denied on August 26, 2024. Docs. [14], [15]. Plaintiff then filed a second motion for reconsideration, which was denied on September 18, 2024. Docs. [16]-[18].

Generally speaking, a party has 30 days from the entry of judgment within which to file a timely notice of appeal. Fed. R. App. P. 4(a)(1)(A) (2006). However, if a party timely files any motion listed in Rule (4)(a)(4)(A), the time to file an appeal runs from the entry of the order disposing of the motion. Fed. R. App. P. (4)(a)(4)(A). The motions listed in Rule (4)(a)(4)(A) include motions for reconsideration and to alter or amend the judgment under Rules 59 and 60. *Id.* Therefore, if Plaintiff wishes to file a notice of appeal, the deadline is **October 18, 2024**,

which has not yet passed. Because the Court's notice of appeal form is one page, the Court does not find any reason to extend the deadline further at this time.

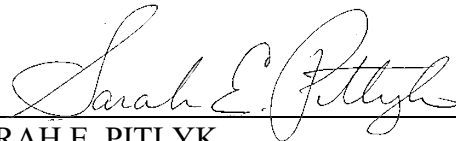
Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for an extension to file a notice of appeal, Doc. [19], is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff has until **October 18, 2024**, to file a notice of appeal.

IT IS FURTHER ORDERED that the Clerk of Court is directed to send to Plaintiff a copy of the Court's notice of appeal form.

Dated this 2nd day of October, 2024.

A handwritten signature in cursive script, reading "Sarah E. Pitlyk", written in black ink over a horizontal line.

SARAH E. PITLYK
UNITED STATES DISTRICT JUDGE